

Message Text

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C O N F I D E N T I A L NASSAU 658

EXDIS

E.O. 11652: GDS

TAGS: PLOS, BF PFOR, MARR, EFIS

SUBJECT: ADDERLEY ON LOS, OOBSTERS AND BASE NEGOTIATIONS

GENEVA FOR LOS DELEGATION

1. MINISTER OF EXTERNAL AFFAIRS ADDERLEY ASKED TO SEE ME THIS AFTERNOON(APR 18) PRIOR TO HIS DEPARTURE TOMORROW FROM GENEVA. HIS PRINCIPAL MESSAGE WAS TO CONVEY THE GCOB ACCEPTANCE OF THE PRINCIPAL OUTLINE OF THE ARCHIPELAGO/ STRAITS PROPOSAL DISCUSSED EARLIER WITH GCOB. ADDERLEY SAID THERE WERE THREE ISSUES WHICH HE DESCRIBED AS "TECHNICAL DRAFTING MATTERS" WHICH GCOB DESIRED CHANGED. THE FIRST TWO RELATED TO TREATMENT OF ATOLLS AND INTERNAL WATERS ON WHICH HE SAID "PROFESSOR O'CONNELL HAD WORKED OUT AGREED LANGUAGE CHANGES WITH MR. MOORE. IN CONFESSED I HAD NOT HAD THIS INFORMATION BUT WAS DELIGHTED TO HEAR IT. ON THE THIRD POINT, RELATING TO THE 80 MILES OR 8 O/O ON WIDTH OF TRANSIT THROUGH ARCHIPELAGO, ADDERLEY SAID THEIR SITUATION MADE 80 MILES INAPPROPRIATE AND, IN ANY EVENT, HE THOUGHT SOME DRAFTING CHANGES WERE AGAIN REQUIRED. HE SAID HE WAS UNCLEAR AS TO WHETHER THIS HAD BEEN DISCUSSED BETWEEN MOORE AND O:CONNELL, BUT, IN ANY EVENT, WOULD BE SEEING O'CONNELL IN GENEVA TO FIND OUT.

2. MY GENERAL RESPONSE TO ADDERLEY WAS THAT WAS PLEASED THAT GCOB FOUND THEMSELVES IN GENERAL AGREEMENT WITH OUR
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PROPOSAL AND THAT APPROPRIATE PLACE TO WORK OUT DETAILED

LANGUAGE CHANGES, IF IN FACT THAT WAS ALL THAT WAS INVOLVED, WAS IN GENEVA WHERE HE COULD MEET WITH OUR EXPERTS.

3. I THEN TOOK OCCASION TO MENTION IN PASSING THAT WE HOPED WE WOULD SOON BE RECEIVING RESPONSE TO OUR NOTE NO 28 OF APRIL 2, 1975 WHICH IN TURN DEALT WITH GCOB MARCH 17 NOTE ON SPINY LOBSTER AND CONTINENTAL SHELF. WHILE ADDERLEY'S MOOD WAS FRIENDLY, HIS RESPONSE WAS THAT HE COULD NOT BE SURE THAT WE WOULD BE RECEIVING A REPLY IN THE NEAR FUTURE GIVEN PRESS OF BUSINESS, LIMITED GCOB CAPABILITIES, ETC. I POINTED OUT THAT OUR NOTE WAS WELL AS MY PREVIOUS DISCUSSIONS WITH HIM WERE ALL PREDICATED ON THE ASSUMPTION THAT IT WAS DESIRABLE TO CLARIFY SPECIFIC IMPLICATIONS OF GCOB IMPLEMENTATION OF ITS NEW LAW PRIOR REPEAT PRIOR TO GCOB UNDERTAKING ENFORCEMENT SO AS TO AVOID COMING INTO POTENTIAL CONFLICT, ETC. ADDERLEY REFERRED TO FACT THAT SEASON DID NOT OPEN UNTIL AUGUST 1, AND HE HOPED THAT IT COULD BE POSTPONED UNTIL OCTOBER 1, EVEN SO, HE GAVE NO ASSURANCE THAT DISCUSSIONS WOULD TAKE PLACE BEFORE THAT TIME. I NOTED THAT SO LONG AS GCOB DID NOT UNDERTAKE ENFORCEMENT, I SAW NO SERIOUS PROBLEMS PRESENTING ITSELF. ADDERLEY GAVE NO ASSURANCE THAT ENFORCEMENT WOULD NOT BE DELAYED EVEN IN RESPONSE TO MY NOTING THAT US HAD FOLLOWED PRACTICE OF DELAYING ENFORCEMENT OF ITS COMPARABLE LEGISLATION PENDING PURSUANCE OF BILATERAL DISCUSSIONS WHERE REQUIRED.

4. ADDERLEY INDICATED THAT NEXT ON HIS PRIORITY LIST "AFTER MY TRIP AND AFTER LOS IS OUT OF THE WAY" IS TO RE-OPEN BASES DIALOGUE. I SAID THAT WE WERE OF COURSE READY, WILLING, AND ABLE TO ENGAGE IN FURTHER DIALOGUE. ADDERLEY SAID HE HOPED THIS WOULD BEGIN BY "SOMETIME IN MAY."

5. COMMENT: WE LEAVE TO LOS EXPERTS TO JUDGE WHETHER IN FACT MINOR TECHNICAL DRAFTING CHANGES ARE ALL THAT GCOB IS REQUESTING. IF ADDERLEY IS CORRECT ABOUT O'CONNELL/MOORE AGREEMENT ON REVISED LANGUAGE, I REGRET THAT WE WERE NOT INFORMED. IT OBVIOUSLY MAKES US LOOK BAD, WHEN WE ARE NOT.

ON THE CONTINENTAL SHELF/SPINY LOBSTER ISSUE, I WAS
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LEFT VERY MUCH UNREASSURED BY ADDERLEY'S RESPONSE. I DO NOT THINK THERE IS ANY POSSIBILITY OF MISUNDERSTANDING AS TO OUR CONCERN REGARDING GCOB ATTEMPTS TO ENFORCE ITS LEGISLATION WITHOUT PRIOR BILATERAL DISCUSSIONS AND AGREEMENT CONCERNING IMPLICATIONS OF GCOB LAW. EITHER ADDERLEY DOES IN FACT EXPECT TO GET AT THE ISSUE PRIOR TO ENFORCEMENT DESPITE HIS IMPLIED COMMENTS TO THE CONTRARY, OR THE GCOB INTENDS ONLY THEORETICAL ENFORCEMENT OR FINALLY

GCOB ACTUALLY INTENDS TO ENFORCE DESPITE CONSEQUENCES.
IT IS NOT READILY APPARENT WHAT MORE WE CAN DO AT THIS STAGE
ALTHOUGH EMBASSY WILL REVIEW THE BIDDING ON THE BASIS
ADDERLEY'S INTENT WAS CLEAR, BUT WHETHER THE FOLLOW-THROUGH
WILL BE ANY MORE EFFECTIVE THAT IT HAS BEEN IN THE PAST
REMAINS TO BE SEEN.
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